

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CARISSA LYNN KOPP,

Defendant.

CR 16-28-M-DLC

ORDER

Before the Court is United States Magistrate Judge John T. Johnston's Findings & Recommendations Regarding Revocation of Supervised Release. (Doc. 235.) Because neither party objected, they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Johnston found, based on Ms. Kopp's admissions at the hearing, that she violated three conditions of her supervised release: (1) the standard condition that she must not communicate or interact with someone she knows is engaged in criminal activity (Stand. Cond. 8); the special condition that she provide her

probation officer with requested financial information (Spec. Cond. 2), and the special condition that she must participate in substance abuse testing (Spec. Cond. 9). (Doc. 235 at 4–5.)

Judge Johnston recommends that this Court revoke Ms. Kopp’s supervised release and sentence her to a custodial sentence of three (3) months, to be followed by thirty-three (33) months of supervised release. (*Id.* at 5.) Judge Johnston further recommends that Ms. Kopp be placed in a secure inpatient drug treatment facility such as the Connections Corrections during the first sixty (60) days of her term of supervised release. (*Id.*)

The Court finds no clear error in Judge Johnston’s Findings and Recommendations and adopts them in full.

Accordingly, IT IS ORDERED that Judge Johnston’s Findings and Recommendations (Doc. 235) are ADOPTED in full.

Ms. Kopp shall be sentenced in conformity with Judge Johnston’s recommendation in the judgment filed concurrently with this Order.

DATED this 16th day of May, 2024.



Dana L. Christensen, District Judge
United States District Court